

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

Civil Action No: 1:23-cv-00077

AMY BRYANT, MD,

Plaintiff,

v.

JOSHUA H. STEIN, in his official capacity as Attorney General for the State of North Carolina; JEFF NIEMAN, in his official capacity as District Attorney for North Carolina 18th Prosecutorial District; KODY H. KINSLEY, in his official capacity as the North Carolina Secretary of Health and Human Services; MICHAUX R. KILPATRICK, MD, PhD, in her official capacity as President of the North Carolina Medical Board; and CHRISTINE M. KHANDELWAL, DO; DEVDUTTA G. SANGVAI, MD, MBA; JOHN W. RUSHER, MD, JD; WILLIAM M. BRAWLEY; W. HOWARD HALL, MD; SHARONA Y. JOHNSON, PhD, FNP-BC; JOSHUA D. MALCOLM, JD; MIGUEL A. PINEIRO, PA-C, MHPE; MELINDA H. PRIVETTE, MD, JD; ANURADHA RAO-PATEL, MD; and ROBERT RICH, JR., MD, in their official capacities as Board Members of the North Carolina Medical Board,

Defendants.

**NOTICE OF NO POSITION ON
PLAINTIFF'S MOTION FOR
LEAVE TO AMEND
COMPLAINT ON BEHALF OF
DEFENDANT NIEMAN**

NOW COMES Defendant Jeff Nieman, in his official capacity as District Attorney for North Carolina's 18th Prosecutorial District, by and through his undersigned counsel, to inform the Court and counsel that he takes no position on Plaintiff's Motion for Leave

to File Amended Complaint and to Expedite Supplemental Briefing on Intervenor's Motion
to Dismiss. [DE 73]

Respectfully submitted, this the 6th day of June, 2023.

JOSHUA H. STEIN
ATTORNEY GENERAL

/s/ Elizabeth Curran O'Brien
Elizabeth Curran O'Brien
Special Deputy Attorney General
N.C. Department of Justice
P.O. Box 629
Raleigh, NC 27602
Telephone: (919) 716-0091
Facsimile: (919) 716-6755
eobrien@ncdoj.gov
N.C. State Bar No. 28885